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*Attorneys for the Assiniboine and Sioux
Tribes of the Fort Peck Indian
Reservation*

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

THE ASSINIBOINE AND SIOUX
TRIBES OF THE FORT PECK
INDIAN RESERVATION,

Plaintiff,

vs.

THE UNITED STATES
DEPARTMENT OF THE
INTERIOR, et al.,

Defendants,

and

TRANSCANADA KEYSTONE
PIPELINE, LP and TC ENERGY
CORPORATION,

Defendants-in-Intervention.

CV-20-44-GF-BMM

**PLAINTIFF'S MOTION FOR
PARTIAL SUMMARY
JUDGMENT**

Pursuant to Federal Rule of Civil Procedure 56 and the Court's Order of December 9, 2020, ECF No. 59, Plaintiff Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation ("Tribes") respectfully requests that the Court grant it summary judgment on Counts I-IX of its First Amended Complaint, ECF No. 57, and all the relevant declaratory and injunctive relief requested in Paragraphs B-G and I of its Prayers for Relief in its First Amended Complaint, *id.* at 131-32. The Tribes' Motion is supported by the accompanying Brief and Statement of Undisputed Material Facts.

DATE: December 30, 2020

Respectfully submitted,

By: /s/ Daniel Wenner

Daniel Wenner

Majel Russell

Elk River Law Office, P.L.L.P.

/s/ Frank S. Holleman

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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on December 30, 2020, I electronically filed the above and foregoing document with the Clerk of Court via the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the parties registered to receive such service.

/s/ Frank S. Holleman

Frank S. Holleman